

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Robert Ponte,

Plaintiff,

v.

Case No. 12-13901

Chase Bank USA, N.A., *et al.*,

Honorable Sean F. Cox

Defendants.

ORDER

ACCEPTING AND ADOPTING REPORT & RECOMMENDATION

This Court referred the following motions filed in this case to Magistrate Judge David Grand for issuance of a report and recommendation pursuant to § 636(b)(1)(B) and (C): 1) Defendants' Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6) (Docket Entry No. 29); 2) Defendant Jamie Dimon's Motion to Dismiss for Lack of Personal Jurisdiction (Docket Entry No. 31); 3) and Plaintiff's Motion for Leave to File a Second Amended Complaint (Docket Entry No. 42).

On October 8, 2013, Magistrate Judge Grand issued a Report and Recommendation ("R&R") wherein he recommends that the Court: 1) grant Defendants' Motion to Dismiss for Failure to State a Claim; 2) deny as moot Defendant Dimon's Motion to Dismiss for Lack of Personal Jurisdiction; and 3) deny Plaintiff's Motion to Amend.

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R. "The district judge to whom the case is assigned shall

make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge's disposition to which specific written objection has been made." *Id.*

The time for filing objections to the R&R has expired and the docket reflects that no party has filed objections to the R&R.

The Court hereby ADOPTS the October 8, 2013, R&R. IT IS ORDERED that: 1) Defendant's Motion to Dismiss for Failure to State a Claim (Docket Entry No. 29) is GRANTED and Plaintiff's claims shall be DISMISSED WITH PREJUDICE; 2) Defendant Dimon's Motion to Dismiss for Lack of Personal Jurisdiction (Docket Entry No. 31) is DENIED AS MOOT; and 3) Plaintiff's Motion to Amend (Docket Entry No. 42) is DENIED.

IT IS SO ORDERED.

S/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: October 29, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 29, 2013, by electronic and/or ordinary mail.

S/Jennifer McCoy
Case Manager